

the Border States, an interim and final report, respectively, that describes—

- (1) any activities carried out under the program;
- (2) any conclusions of the Secretary relating to the status of transboundary aquifers; and
- (3) the level of participation in the program of entities in Mexico.

#### SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this Act \$50,000,000 for the period of fiscal years 2005 through 2014.

(b) DISTRIBUTION OF FUNDS.—Of the amounts made available under subsection (a), 50 percent shall be made available to the water resources research institutes to provide funding to appropriate entities in the Border States (including Sandia National Laboratories, State agencies, universities, the Tri-Regional Planning Group, and other relevant organizations) and Mexico to conduct activities under the program, including the binational collection and exchange of scientific data.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1957), as amended, was read the third time and passed.

### LAND EXCHANGE IN EVERGLADES NATIONAL PARK

The Senate proceeded to consider the bill (S. 2046) to authorize the exchange of certain land in Everglades National Park, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 2046

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. EVERGLADES NATIONAL PARK LAND EXCHANGE.

[Section 102 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-6) is amended by adding at the end the following:

“(h) LAND EXCHANGE.—

“(1) DEFINITIONS.—In this subsection:

“(A) DISTRICT.—The term ‘District’ means the South Florida Water Management District.

“(B) FEDERAL LAND.—The term ‘Federal land’ means the approximately 1,054 acres of land located in the Rocky Glades area of the park and identified on the map as ‘NPS Exchange Lands’.

“(C) MAP.—The term ‘map’ means the map entitled ‘Boundary Modification for C-111 Project, Everglades National Park’, numbered 160/80,007, and dated April 30, 2002.

“(D) NON-FEDERAL LAND.—The term ‘non-Federal land’ means the approximately 1,054 acres of District land located in the Southern Glades Wildlife and Environmental Area and identified on the map as ‘South Florida Water Management District Exchange Lands’.

“(2) EXCHANGE.—The Secretary shall convey to the District the fee title to the Federal land in exchange for the fee title to the non-Federal land.

“(3) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

“(4) USE OF FEDERAL LAND.—The Federal land conveyed to the District shall be used by the District compatible with the purposes of the C-111 project, including restoration of the Everglades natural system.

“(5) BOUNDARY ADJUSTMENT.—On completion of the land exchange under paragraph (2), the Secretary shall modify the boundary of the park to reflect the exchange of the Federal land and non-Federal land.”.]

#### SECTION 1. EVERGLADES NATIONAL PARK.

Section 102 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-6) is amended—

(1) in subsection (a)—

(A) by striking “The park boundary” and inserting the following:

“(1) IN GENERAL.—The park boundary”;

(B) by striking “The map” and inserting the following:

“(2) AVAILABILITY OF MAP.—The map”;

(C) by adding at the end the following:

“(3) ACQUISITION OF ADDITIONAL LAND.—

“(A) IN GENERAL.—The Secretary may acquire from 1 or more willing sellers not more than 10 acres of land located outside the boundary of the park and adjacent to or near the East Everglades area of the park for the development of administrative, housing, maintenance, or other park purposes.

“(B) ADMINISTRATION; APPLICABLE LAW.—On acquisition of the land under subparagraph (A), the land shall be administered as part of the park in accordance with the laws (including regulations) applicable to the park.”; and

(2) by adding at the end the following:

“(h) LAND EXCHANGES.—

“(1) DEFINITIONS.—In this subsection:

“(A) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of General Services.

“(B) COUNTY.—The term ‘County’ means Miami-Dade County, Florida.

“(C) COUNTY LAND.—The term ‘County land’ means the 2 parcels of land owned by the County totaling approximately 152.93 acres that are designated as ‘Tract 605-01’ and ‘Tract 605-03’.

“(D) DISTRICT.—The term ‘District’ means the South Florida Water Management District.

“(E) DISTRICT LAND.—The term ‘District land’ means the approximately 1,054 acres of District land located in the Southern Glades Wildlife and Environmental Area and identified on the map as ‘South Florida Water Management District Exchange Lands’.

“(F) GENERAL SERVICES ADMINISTRATION LAND.—The term ‘General Services Administration land’ means the approximately 595.28 acres of land designated as ‘Site Alpha’ that is declared by the Department of the Navy to be excess land.

“(G) MAP.—The term ‘map’ means the map entitled ‘Boundary Modification for C-111 Project, Everglades National Park’, numbered 160/80,007A, and dated May 18, 2004.

“(H) NATIONAL PARK SERVICE LAND.—The term ‘National Park Service land’ means the approximately 1,054 acres of land located in the Rocky Glades area of the park and identified on the map as ‘NPS Exchange Lands’.

“(2) EXCHANGE OF GENERAL SERVICES ADMINISTRATION LAND AND COUNTY LAND.—The Administrator shall convey to the County fee title to the General Services Administration land in exchange for the conveyance by the County to the Secretary of fee title to the County land.

“(3) EXCHANGE OF NATIONAL PARK SERVICE LAND AND DISTRICT LAND.—

“(A) IN GENERAL.—As soon as practicable after the completion of the exchange under paragraph (2), the Secretary shall convey to the District fee title to the National Park Service land in exchange for fee title to the District land.

“(B) USE OF NATIONAL PARK SERVICE LAND.—The National Park Service land conveyed to the District shall be used by the District for the purposes of the C-111 project, including restoration of the Everglades natural system.

“(C) BOUNDARY ADJUSTMENT.—On completion of the land exchange under subparagraph (A), the Secretary shall modify the boundary of the

park to reflect the exchange of the National Park Service land and the District land.

“(4) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.”.

#### SEC. 2. BIG CYPRESS NATIONAL PRESERVE.

Subsection (d)(3) of the first section of Public Law 93-440 (16 U.S.C. 698f) is amended by striking “The amount described in paragraph (1)” and inserting “The amount described in paragraph (2)”.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 2046), as amended, was read the third time and passed.

### TAPOCO PROJECT LICENSING ACT OF 2004

The Senate proceeded to consider the bill (S. 2319) to authorize and facilitate hydroelectric power licensing of the Tapoco Project, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 2319

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

[This Act may be cited as the “Tapoco Project Licensing Act of 2004”.

#### SEC. 2. PURPOSE.

[The purpose of this Act is to resolve jurisdictional issues regarding hydroelectric power licensing of FERC Project No. 2169 (the Tapoco Project or Project) by authorizing—

“(1) the Secretary of the Interior to complete, as soon as practicable after the date of enactment of this Act, an exchange of certain land; and

“(2) after the exchange of land is completed, the Federal Energy Regulatory Commission to license the Project.

#### SEC. 3. DEFINITIONS.

[In this Act:

“(1) APGI.—The term “APGI” means Alcoa Power Generating Inc. (including its successors and assigns).

“(2) ATTORNEY GENERAL.—The term “Attorney General” means the Attorney General of the United States.

“(3) COMMISSION.—The term “Commission” means the Federal Energy Regulatory Commission.

“(4) PARK.—The term “Park” means the Great Smoky Mountains National Park.

“(5) PROJECT.—The term “Project” means FERC Project No. 2169 (the Tapoco Project or Project), including the Chilhowee Dam and reservoir in the State.

“(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

“(7) SETTLEMENT AGREEMENT.—The term “Settlement Agreement” means the agreement filed with the Commission among the settling parties reached in the licensing of the Project that describes the operational and protection, mitigation, and enhancement measures for operation of the Project.

“(8) STATE.—The term “State” means the State of Tennessee.

#### SEC. 4. LAND EXCHANGE.

“(a) IN GENERAL.—The Secretary shall offer to acquire from APGI—

“(1) subject to any encumbrances existing before February 21, 2003, approximately 186